

## Message Text

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PAGE 01 SOFIA 01381 071548Z

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ACTION EUR-12

INFO OCT-01 ISO-00 EURE-00 SSO-00 NSCE-00 USIE-00 INRE-00

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NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 JUSE-00 CG-00

DOTE-00 EB-07 OMB-01 TRSE-00 /064 W

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O 071518Z JUL 75

FM AMEMBASSY SOFIA

TO SECSTATE WASHDC IMMEDIATE 9848

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E.O. 11652: N/A

TAGS: EFIS, BU

SUBJECT: SEIZURE OF BULGARIAN FISHING VESSEL ARGONAVT

REF: A) STATE 146297; B) STATE 155603

1. BULGARIAN AUTHORITIES SEE A POSSIBLE VICIOUS CIRCLE DEVELOPING OVER SETTLEMENT OF THE ARGONAVT CASE. DEPUTY FOREIGN MINISTER ZAKHARIEVA SUMMONED AMBASSADOR URGENTLY JULY 7 TO EXPLAIN THAT BULGARIANS ARE NOT ASKING FOR RELEASE OF SHIP PRIOR TO SETTLEMENT PAYMENT, WHAT THEY NEED IS "DECISION BY THE JUDGE" (THEY APPARENTLY MEAN U.S. ATTORNEY) WHICH WILL REPRESENT LEGAL BASIS FOR IMMEDIATE PAYMENT OF THE FULL AMOUNT.

2. ZAKHARIEVA ARGUED THAT BULGARIANS HAVE DONE EVERYTHING THEY CAN TO EFFECT EXPEDITIOUS SETTLEMENT; THEY HAVE AGREED TO THE AMOUNT AND OBTAINED "GUARANTEE" FROM BRITISH BANK THAT PAYMENT WILL BE MADE. IN ADDITION, MFA LEGAL ADVISER KARASIMIANOV STATED THAT VICE MINISTER'S PRESENT DEMARCHE, AND HER FLAT ASSURANCE THAT PAYMENT WILL BE IMMEDIATELY EFFECTED AS SOON AS THERE IS A "JUDGMENT", CONSTITUTES FURTHER GUARANTEE SINCE BULGARIAN FISHERIES

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PAGE 02 SOFIA 01381 071548Z

ORGANIZATION IS AN INSTRUMENT OF THE STATE AND THERE

IS THUS NO POSSIBILITY OF EVASION OF THE SETTLEMENT.

3. COMMENT: WHAT BULGARIANS FEAR IS THAT U.S. ATTORNEY HANDLING THE CASE MAY BELIEVE THAT HE CAN ONLY SETTLE IT AFTER PAYMENT HAS BEEN MADE, PERHAPS BECAUSE HE WANTS TO SEE "THE COLOR OF GOB'S MONEY" BEFORE PRONOUNCING HIMSELF. BULGARIANS POINT OUT HOWEVER THAT THEY CANNOT LEGALLY EFFECT PAYMENT UNTIL THE APPROPRIATE US AUTHORITY HAS MADE A FORMAL FINDING OR GIVEN ITS WRITTEN OFFICIAL BLESSING TO SETTLEMENT REACHED OUTSIDE OF COURT. (WE UNDERSTAND ONLY SENTENCE INVOLVED IS CAPTAIN'S FINE.)

4. IT IS NOW OVER TWO WEEKS SINCE SETTLEMENT WAS REACHED AS PER REF A, AND GOB'S AMERICAN LAWYERS HAVE OBVIOUSLY BEEN UNABLE TO EXPLAIN TO THEIR CLIENTS WHY THEY CANNOT OBTAIN DOCUMENT WHICH MEETS GOB REQUIREMENTS.

5. RECOMMENDATION: SINCE BULGARIANS ARE NOT ASKING FOR RELEASE OF SHIP PRIOR TO PAYMENT, AND SINCE THEY ARE EAGER TO EFFECT PAYMENT AS SOON AS U.S. ATTORNEY HAS LEGALIZED SETTLEMENT, WE BELIEVE BASIS EXISTS FOR IMMEDIATELY CLOSING CASE. BULGARIANS ARE POINTING OUT THAT TO AVOID DELAYS THEY HAVE NOT QUIBBLED OVER VERY HEAVY PENALTY INVOLVED, AND NOW THEY ARE PUZZLED AND DISQUIETED THAT DELAY SEEMS TO BE INTERPOSED FROM THE US SIDE. IF SOMETHING IS REQUIRED IN ADDITION TO MESSAGE FROM THE BULGARIAN FISHERIES ORGANIZATION PROMISING PAYMENT (WHICH WE UNDERSTAND HAS BEEN SUBMITTED TO THE U.S. ATTORNEY), MFA ORAL ASSURANCE TO AMBASSADOR THAT PAYMENT WILL BE EXPEDITIOUSLY MADE, AND US PHYSICAL POSSESSION OF SHIP UNTIL PAYMENT IS EFFECTED, PLEASE EXPLAIN NATURE AND REASONS SO THAT WE CAN IN TURN EXPLAIN HERE.

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## Message Attributes

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**TAGS:** EFIS, BU  
**To:** STATE  
**Type:** TE  
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